APPENDIX A

ACT NO. 584, LOUISIANA LEGISLATIVE REGULAR SESSION 2004

ACT No. 584

Regular Session, 2004

HOUSE BILL NO. 377

BY REPRESENTATIVE DAMICO

l	AN ACT
2	To amend and reenact R.S. 30:2054(B)(8) and R.S. 32:1306(C)(3), relative to motor vehicle
3	emissions inspections; to provide for the powers and duties of the secretary of the
4	Department of Environmental Quality; to provide for fees for vehicle inspections; to
5	provide for disposition of funds; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 30:2054(B)(8) is hereby amended and reenacted to read as follows:
8	§2054. Air quality control; secretary of environmental quality; powers and duties
9	* * *
10	B. The secretary shall have the following powers and duties:
11	* * *
12	(8) To establish and implement a program for the control and abatement of
13	motor vehicle emissions in accordance with R.S. 30:2060 and other applicable state
14	and federal laws, particularly the Clean Air Act as amended, but not to exceed the
15	requirements provided in such Act unless specifically authorized. Such program
16	shall be applicable only in parishes and municipalities that have been placed on the
17	nonattainment list for ozone standards and classified as "serious" or worse by the

Page 1 of 3

CODING: Words in struck through type are deletions from existing law; words underscored are additions.

United States Environmental Protection Agency as of June 30, 1999. If such		
program includes the periodic inspection of motor vehicles, the frequency of		
performing such inspections shall be as allowed by federal law or regulations or by		
agreements with federal agencies. During each calendar year, the secretary may		
exempt vehicles of that model year and vehicles from prior model years from		
on-board diagnostic (OBD II) testing. The fees due the department for this program		
pursuant to R.S. 32:1306(C)(3) shall be deposited into the Environmental Trust Fund.		
The inspection and maintenance of motor vehicles as required by this Paragraph shall		
begin on January 1, 2000.		

* * *

Section 2. R.S. 32:1306(C)(3) is hereby amended and reenacted to read as follows: §1306. Operation of official inspection stations

* *

C.

(3)(a) For parishes and municipalities that have been placed on the nonattainment list for ozone standards and classified as "serious" or worse by the United States Environmental Protection Agency as of June 30, 1999, an additional three dollars eight dollars shall be charged for each inspection between July 1, 1999 and that includes the performance of the inspection and maintenance (I/M) program pursuant to the provisions of R.S. 30:2054(B)(8) for 1980 or newer model year motor vehicles. December 31, 1999. Between July 1, 1999 and December 31, 1999, the The motor vehicle inspection station shall retain the entire three six dollars of the additional charge for implementation and performance of the automobile inspection and maintenance program (I/M) established pursuant to the provisions of R.S. 30:2054(B)(8). I/M program, In the affected parishes, the motor vehicle inspection stations that perform inspection and maintenance requirements shall begin collecting the additional three dollar fee on July 1, 1999, to cover the costs of purchasing new equipment and additional labor required by the I/M program.

1	(b) After December 31, 1999, the department may by rule reduce the fee
2	provided for in this Paragraph to an amount less than three dollars for each inspection
3	and provide that up to one dollar Two dollars of the additional dollars charged may
4	charge shall be transferred to the Louisiana Department of Environmental Quality to
5	implement and operate the inspection and maintenance program established pursuant
6	to R.S. 30:2054(B)(8). The rules may further provide that up to two dollars of the
7	additional dollars may be retained by the operator of the motor vehicle inspection
8	station in the affected parishes that perform I/M requirements to cover the cost of the
9	additional equipment and labor.
0	(c)(b) The department shall promulgate rules and regulations necessary to
1	implement the provisions of this Paragraph, other than for the collection of fees
12	between July 1, 1999 and December 31, 1999.
13	(d)(c) The provisions of this Paragraph shall not apply to any trailer, light
4	trailer, or semitrailer.
15	* * *
6	Section 3. This Act shall become effective on July 1, 2004; if vetoed by the governor
17	and subsequently approved by the legislature, this Act shall become effective on July 1,
18	2004, or on the day following such approval by the legislature, whichever is later.
	SPEAKER OF THE HOUSE OF REPRESENTATIVES
	PRESIDENT OF THE SENATE
	GOVERNOR OF THE STATE OF LOUISIANA

Page 3 of 3

APPROVED: